

PROB 12C
(7/93)

United States District Court
for
District of New Jersey
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Daniel Martinez

Docket Number: 03-00062-001

PACTS Number: 32770

Name of Sentencing Judicial Officer: HONORABLE Katharine S. Hayden

Date of Original Sentence: 07/22/04

Original Offense: NARCOTICS - POSSESSION

Original Sentence: 37 months imprisonment; 48 months supervised release

Date of Current Sentence: 06/23/08

Current Offense: Violation of Supervised Release

Current Sentence: 9 months imprisonment; 27 months supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: 03/11/09

Assistant U.S. Attorney: Andrew D. Kogan, 970 Broad Street, Room 502, Newark, New Jersey 07102
(973) 645-2700

Defense Attorney: Michael Gilberti, 21 East Front Street, Suite 210, Red Bank, New Jersey 07701
(732) 212-0400

PETITIONING THE COURT

☐ To issue a warrant

☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1 The offender has violated the supervision condition which states '**You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.**'

a.) The offender failed to report to the probation office on May 19, May 26, June 2, June 25, August 4, August 11, August 24, August 28 and September 1, 2009.

b.) The offender failed to submit monthly supervision reports in May 2009, June 2009, July 2009, or any time thereafter.

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The offender has violated the supervision condition which states '**The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.**'

a.) The offender failed to attend code-a-phone (mandatory drug testing) on May 11, May 13, June 16, June 24, July 24, and August 28, 2009.

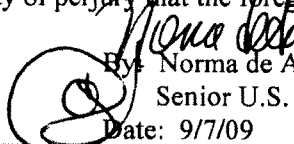
b.) The offender failed to report for bi-weekly outpatient drug treatment appointments at Integrity in Newark, New Jersey, from May 12, 2009, through his court appearance date of July 27, 2009.

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The offender has violated the supervision condition which states '**You shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.**'

On July 27, 2009, the date of his last court appearance, the offender was instructed to report weekly and submit employment search logs. The offender has failed to report to the probation office since that date, and to submit the requested employment logs.

I declare under penalty of perjury that the foregoing is true and correct.


By: Norma de Armas
Senior U.S. Probation Officer
Date: 9/7/09

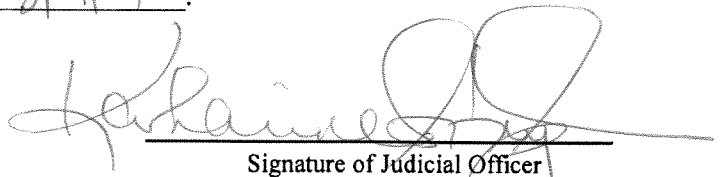
THE COURT ORDERS:

☐ The Issuance of a Warrant

☒ The Issuance of a Summons. Date of Hearing: 8/14/09

☐ No Action

☐ Other

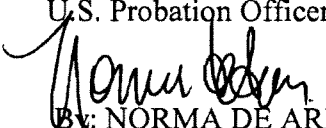

Signature of Judicial Officer

9/11/09
Date

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Sentencing Recommendation
Daniel Martinez

Respectfully submitted,

CHRISTOPHER MALONEY, Chief
U.S. Probation Officer


By: NORMA DE ARMAS
Senior U.S. Probation Officer

APPROVED:


CAROLEE GRAZIOSO

Date 9/10/09
Supervising U.S. Probation Officer